

Zoning Board of Appeals  
City of Yonkers

CASE# \_\_\_\_\_

1.	Principal Points.....	11	___
2.	Objection (action on plans).....	10	___
3.	Notarized Letter of Authorization.....	3	___
4.	List of Property Owners with mailing addresses & location of property owned.....	4	___
5.	Notice Served to the above ( <span style="color: pink;">pink sheet</span> ).....	3	___
6.	Post Office Receipts for the above.....	2	___
7.	Drawings of Structure with Plot Plan.....	11	___
8.	Area Map.....	11	___
9.	Photos (8 x 10) (numbered on area map).....	3	___
10.	Application form (white sheet) .....	4	___
11.	Submission of Documents ( <span style="color: blue;">blue sheet</span> ) w/notarized affidavit.	3	___
12.	Proof of Service ( <span style="color: green;">green sheet</span> ) notarized.....	2	___
13.	Up to Date Certificate of Occupancy.....	8	___

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FOR OFFICE USE ONLY

Location: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Owner: \_\_\_\_\_ Phone #: \_\_\_\_\_

Attorney: \_\_\_\_\_ Phone #: \_\_\_\_\_

Address: \_\_\_\_\_

Application Fee: \$\_\_\_\_\_ Receipt #: \_\_\_\_\_

Sign Rental Deposit: \_\_\_\_/\_\_\_\_/\_\_\_\_ Check #: \_\_\_\_\_

Sign & Sign Rental Deposit Returned: \_\_\_\_/\_\_\_\_/\_\_\_\_

Clean Hands: \_\_\_\_\_ BP App# \_\_\_\_\_

One Letter To: \_\_\_\_\_ approved or denied Sent to W.C. \_\_\_\_\_

Create file & card \_\_\_\_\_

## **Instructions to Applicant**

**I. 22 Days before ZBA Meeting:** Applicant must submit:

A. Application

B. Document Sheet (blue) with all items except # 6

C. Fees to be paid:

1. INTERPRETATIONS:

(a) 1 & 2 family dwellings                      \$250

(b) All others    \$1000

2. AREA VARIANCES AND VARIANCES FROM REQUIREMENTS FOR SPECIAL  
USE PERMITS

(a) 1 & 2 family dwellings                      \$250 (per parcel)

(b) All others    \$1000 (per parcel)

3. USE VARIANCE

(a) All Uses    \$1000 (per parcel)

4. EXTENSION OF NON-CONFORMING USES, STRUCTURES OR LOTS

(a) 1 & 2 family dwellings                      \$250

(b) All other uses    \$1000

5. EXTENSIONS OF TIME OF AN APPROVAL ALREADY GRANTED

(a) 1 & 2 family dwellings                      \$100

(b) All others    \$500

ZONING BOARD SIGNS: \$150 (certified check) refundable deposit, unless sign is not returned.

**II. 21 Days before ZBA Meeting:** Applicant must pick up signs at Department of Buildings; signs to be posted **20 days before ZBA meeting.**

**III. 15 Days before ZBA Meeting:** Applicant must submit Post Office Receipts and notarized pink sheet.

**IV. 3 Days AFTER ZBA meeting:** Applicant to return signs.

**V.** If Certificate of Occupancy is not part of Building Department file an up to date Certificate of Occupancy must be on file with Building Department **BEFORE** filing with ZBA.

**VI.** Decisions on all cases will be made the **following 3<sup>rd</sup> Tuesday of each month** (next scheduled ZBA meeting (except during the summer and holidays).

**VII. All items must be submitted at time of filing** except items #6 & #12. **Items #6 & #12** must be in the office no later than **15 days before** the ZBA meeting

**NOTE:** Mailing is to be by CERTIFIED MAIL.

General Application Questions: 914-377-6535 or 6522.

Technical Questions: 914-377-6507 or 6506

## **NOTICE TO ALL APPLICANTS REQUIRING ZONING VARIANCES**

Please be advised that building permit applications requiring area or parking variances must clearly show for each such variance needed, both the “required” setback or standard, as well as the actual “proposed” setback, on a dimensioned site plan.

Any site plan where a proposed yard setback or standard is not shown, will not be processed any further nor deemed adequate for referral to, or consideration by the Zoning Board of Appeals.

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Instruction Sheet A

Plans to be filed with application for variation of requirements of Zoning Ordinance, as required by Item 7, 8, and 9 of the application forms, "Submission of Documents". Required number of sets of plans on sheets folded to 8 ½" x 17" in size. All plans to be drawn to ¼" scale and all dimensions on all views and submittals, each set to consist of:

- a. Ground and typical floor plans of buildings or premises as proposed, with all dimensions elevations – floor layout with dimensions – all structural members – plans to be completed in all respects.
- b. Plan on existing conditions with all dimensions.
- c. A longitudinal section with heights marked thereon.
- d. Elevation of all street fronts.
- e. Required number of copies of a dimensional plot plan, showing adjoining plots with buildings and open space thereon.
- f. All plans must bear the seal of a registered architect or licensed professional engineer.
- g. Required number of copies of an area map, drawn to scale, on sheets not to exceed 11" x 14" in size.

This diagram to show clearly the following:

1. The use and height in stories and type of construction of all properties within a radius of 200 ft. from the perimeter of the plot in question, which is the subject of this application and 400 ft. radius for motor fuel filling stations in B, BA, or CM zone.
2. All block numbers to be blocked i.e. 3478
3. All lot numbers to be circled – i.e. ④
4. The frontage to the nearest foot of all lots to be marked within the building line.
5. All house numbers to be marked outside of building line.
6. Street names.
7. Street widths.
8. Compass points.
9. Indicate the point at which each photograph was taken by means of numeral within a circle and an arrow showing the direction in which the camera faced when each photograph was taken.
10. SCALE – 80 feet – 1 inch, date of drawing, and explanatory legend.
11. The Zoning Notification Map (200 ft. radius) should show the Zoning District classification for each parcel receiving notice therein (S-50; S-75; BR; etc...).

NOTE: Where other types of facilities are indicated other than those covered in the legend, write in the use i.e. warehouse, office, bowling, etc...

Explanatory Legend:

<b>III</b>	STORY HEIGHT	<b>D</b>	DWELLING
<b>MD</b>	MULTIPLE DWELLING	<b>S</b>	STORE
<b>B</b>	MASONRY	<b>M</b>	METAL
<b>F</b>	FRAME	<b>G</b>	GARAGES
<b>FP</b>	FIREPROOF	<b>4</b>	INDICATES POSITION OF CAMERA DIRECTION AND PHOTOGRAPH

Zoning Board of Appeals  
City of Yonkers

Schedule for notification and the submission of documents pertaining to application for:

- A. Variance
- B. Appeal from a decision or order for the Commissioner of Buildings.
- C. Appeal from an interpretation by the Commissioner of Buildings.

Unless otherwise noted, the listed requirement is to be fulfilled by the applicant.

- I. At least 22 days prior to hearing submit application on form prescribed by the Zoning Board of Appeals with the correct number of the following documents as applicable.

<u>Document Description</u>		<u>Document Required with Application for:</u>			
a.	Statement of principal points	A	B	C	(see note)
b.	Action on plans		B	C	
c.	Letter of Authorization from owner, lessee, or aggrieved party, as applicable.	A	B	C	
d.	Area map of properties within required radius	A	B	C	
e.	List of property owners within 200' radius (or 400' radius-as required)	A	B	C	
f.	Notice served on property owners	A	B	C	(see note)
g.	Drawings of structure	A	B		
h.	Photographs	A	B		
i.	Payment of application fee and sign deposit (as applicable)	A	B	C	

II. 20 Days prior to hearing:

a.	Obtain signs from Department of Housing and Buildings & post on property	A	B	C	(see note)
b.	Dept. of Housing and Buildings prepares hearing agenda and distributes to Board members & reporting to City departments.	A	B	C	
c.	Dept. of Housing and Buildings conducts "Clean Hands" Inspection	A	B	C	(see note)

III. 15 Days prior to hearing:

a.	Submit receipts from U.S. Post Office covering mailing of notices to affected property owners	A	B	C	
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IV. 12 Days prior to hearing:

a.	City departments submit reports to Department of Housing and Buildings	A	B	C	(see note)
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V. 11 Days prior to hearing:

- |    |  |   |   |   |
|----|--|---|---|---|
| a. | Department mails packets of all documents to | A | B | C |
|    | Board members                                |   |   |   |

VI. 10 Days prior to hearing:

- |    |  |   |   |   |
|----|--|---|---|---|
| a. | City advertises agenda in official newspaper | A | B | C |
|----|--|---|---|---|

NOTES:

1. Principal Points relative to appeals from decision, orders or interpretations by the Commissioner of Buildings shall include:
  - a. Citing from whom matter is appealed
  - b. Citing of relevant section of zoning code involved
  - c. Statement of decision, order or interpretation being appealed
  - d. Statement of applicant's opinion as to decision, order or interpretation with appropriate rationale.
2. Notice to be served on owner of subject property, any tenant that may be affected, and legal counsel if either is so represented in the matter.

## **POSTING OF SIGNS**

GENERAL ORDINANCE NO. 4-2000, AS AMENDED, (COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF YONKERS, NEW YORK OF 2000 AND CODIFIED AS CHAPTER 43 IN GENERAL ORDINANCE NO. 4-2000, AS AMENDED, ENTITLED “CODE OF THE CITY OF YONKERS”), IN RELATION TO THE GIVING OF NOTICE TO THE PUBLIC BY THE POSTING OF A SIGN ON PROPERTY FOR WHICH A CHANGE OF ZONE, A VARIANCE IS REQUESTED.

Chapter 43, Article XI, 43-144E and Article XII, 43-156, read as follows:

### **ARTICLE XI (Zoning Board of Appeals)**

#### **§ 43-144. Appeals.**

E. Posting of signs. In addition to the provision of notice as prescribed in § 43-144D and H (this section) of this chapter, the applicant for a use or area variance shall post signs in accordance with the provision of Article XII, § 43-156, Posting of signs, of this chapter.

### **ARTICLE XII (Enforcement and Administration)**

#### **§ 43-156. Posting of signs.**

A. In addition to the notice requirements as provided for in this chapter or as otherwise required by rule, ordinance, resolution or local law, and for all meetings and formal public hearings, any applicant for an amendment to the Zoning Ordinance or Map, a variance, a special use permit, a site plan application, preliminary or final subdivision approval (pursuant to Chapter 46 of the City Code) or for any action for which a City Council or a Zoning Board of Appeals or a Planning Board meeting is required shall post one sign per 300 linear feet of frontage on each street upon which the property fronts. Each sign shall face the street and shall be located no more than 10 feet from the front property line. Said signs shall be clearly visible from the street and shall not be hidden or obscured in any manner by any physical obstruction.

B. Said signs shall indicate the time and place of the public meeting on the application, shall be erected by the applicant not less than 10 days prior to the date of the meeting and shall be removed by the applicant and returned to the Commissioner of the Department of Housing and Buildings or appropriate office within 10 days following the date of the public meeting or any adjournment thereof.

C. The applicant shall deposit with the Commissioner of the Department of Housing and Buildings or Planning Director a certified check in the amount of \$150 per sign, payable to the order of the City of Yonkers, as security for the return of such signs to the Commissioner or Director as herein provided. If said signs are not so returned, within 10 days of the close of the hearing the security deposit shall be forfeited by the applicant, and the Comptroller shall credit the same to the general fund.

\*Adopted by the City Council of the City of Yonkers 9-19-2000 by Ord. No. 4-2000.